IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN

AT BENCH JAIPUR

O R D E R

Rajasthan State Road Transport Corporation Vs.
Om Prakash Tailor & Another

(SB Civil Writ Petition No. 5643/94)

Date of Order : 4.12.2006

Hon'ble Mr. Justice KS Rathore

Mr. Manish Bhandari, for the petitioner.

By the instant writ petition, the Rajasthan State Road Transport Corporation has challenged the award dated 16.9.93 passed by the Industrial Tribunal, Kota whereby the Tribunal held that the punishment awarded to the respondent no.1 of stoppage of two grade increment and forfeiture of the salary of suspension period is excessive and converted the punishment into that of forfeiture of salary of the suspension period only.

Learned counsel for the petitioner submits that under Section 11-A of the Industrial

Disputes Act only the case of discharge or dismissal can be interfered and no other category of punishment can be interfered by the Industrial Tribunal.

I have gone through the award dated 16.9.93 and Section 11-A of the Industrial Disputes Act. The jurisdiction of the Industrial Tribunal in cases of discharge or dismissal under Section 11-A cannot be exercised in any other case of punishment.

Accordingly, the writ petition is allowed. The award dated 16.9.93 is set aside. The punishment awarded is restored.

(KS RATHORE), J.